

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**GEORGE LARRY GILLOM**

**PLAINTIFF**

**v.**

**No. 4:06cv107-P-A**

**C. E. O. HUTTO, ET AL.**

**DEFENDANTS**

**ORDER DISMISSING PLAINTIFF'S CLAIMS  
AGAINST DEFENDANT HUTTO**

This matter comes before the court on the complaint of *pro se* prisoner plaintiff Larry Gillom, who challenges the conditions of his confinement under 42 U.S.C. § 1983. For the purposes of the Prison Litigation Reform Act, the court notes that the plaintiff was incarcerated when he filed this suit. For the reasons set forth below, the plaintiff's claims against defendant Hutto shall be dismissed with prejudice.

***Respondeat Superior***

Section 1983 liability cannot be predicated upon a *respondeat superior* theory. *Monell v. Department of Social Services*, 436 U.S. 658, 691 (1978). For a plaintiff to state a viable cause of action pursuant to § 1983, he must "identify defendants who are either personally involved in the constitutional violation or whose acts are causally connected to the constitutional violation alleged." *Woods v. Edwards*, 51 F.3d 577, 583 (5th Cir. 1995) (citing *Lozano v. Smith*, 718 F.2d 756, 768 (5th Cir. 1983)). In his latest submission to the court, the plaintiff acknowledges that he has sued defendant Hutto solely because he is the Chief Executive Officer of Corrections Corporation of America. The plaintiff has not alleged that Hutto had any direct involvement in

the incidents giving rise to this complaint – or took action causing the incidents. As such, all of the plaintiff's claims against defendant Hutto are hereby **DISMISSED** with prejudice.

**SO ORDERED**, this the 1<sup>st</sup> day of March, 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE